

CHAPTER 378

S.B. No. 936

AN ACT

relating to the coordination of leave policies and workers' compensation for school employees injured by assault.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsection (f), Section 13.904, Education Code, is amended to read as follows:

(f) In addition to all other days of leave provided by this section or by the school district, an employee of a school district who is physically assaulted during the performance of his regular duties is entitled to the number of days of leave necessary to recuperate from all physical injuries sustained as a result of the assault. *At the request of an employee, the school district must immediately assign an employee to assault leave and, on investigation of the claim, may change the assault leave status and charge the leave against the employee's accrued sick leave or against an employee's pay if insufficient accrued sick leave is available.* Days of leave taken under this subsection may not be deducted from accrued sick

leave. The period provided in this subsection shall not extend more than two years beyond the date of the assault. *Notwithstanding any other provision of law, assault leave policy benefits due to an employee will be coordinated with temporary income benefits due from workers' compensation in order that the employee's total compensation from temporary income benefits and assault leave policy benefits will equal 100 percent of the employee's weekly rate of pay.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 7, 1993, by a viva-voce vote; the Senate concurred in House amendments on May 21, 1993, by a viva-voce vote; passed the House, with amendments, on May 19, 1993, by a non-record vote.

Approved June 2, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.